<div align="center">REMARKS</div>

<u>Status of the Claims</u>

- Claims 1-20 and 25-33 are pending in the Application after entry of this amendment.
- Claims 1-20 are rejected by Examiner.
- Claims 25-30 are withdrawn by Examiner via restriction.
- Claims 1, 8 and 15 are amended by Applicant.

<u>Claim Rejections Pursuant to 35 U.S.C. §102</u>

Claims 1–20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0023140 to Hile et al. (Hile). Applicant respectfully traverses the rejection.

Hile teaches a method "for transferring data files between a first computing device and a second computing device interconnected by a network. The method includes: establishing a first network connection between the first computing device and a second computing device; registering a file transfer request for a given data file with a server application residing on the second computing device; establishing a second network connection between the first computing device and the second computing device, such that the second network connection is independent from the first network connection; retrieving the file transfer request from the server application via the second network connection; and transferring the data file via the second network connection in response to the file transfer request retrieved from the server application." (See Hile, paragraph 0005)

Applicant notes that Hile, Figure 3, teaches a file transfer is initiated by a user that wishes to send a file to another computer. In Hile, this is accomplished by having a user fill out a file "Send form" to an application server (see Figure 3, items 42-56). As stated in paragraph 0018 of Hile:

> "To schedule or register a file transfer, the user fills in the Send form 50. In particular, the user enters an email address for the recipient of the file and selects the file or *files they wish to send*." (Hile, paragraph 0018).

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As stated in paragraph 0019 of Hile:

"Next, *the selected file must be transferred from the sender's computing device* to the
server." (Hile, paragraph 0019)

Applicant notes that Hile does not teach using a "task request generated by a remote
client computer, the task request requesting a file from the local computer" as recited in
amended Claims, 1, 8, and 15 and supported by the as-filed specification on pages 14 and 24.

Applicant respectfully submits that Hile fails to teach a remote client "requesting" a
file. In distinction, Hile teaches a file transfer from a sender's computing device to the server.
(see Hile, paragraphs 0018-0019 and Figure 3). The present claims recite requesting a file
whereas Hile teaches sending a file.

Applicant respectfully submits that Hile cannot anticipate the claimed techniques
because Hile fails to teach all elements of the pending claims. Specifically, Hile fails to teach
a task request to receive a file, the request made by a remote client. Applicant respectfully
requests withdrawal of the 35 U.S.C. §102(e) rejection of the pending claims.

In another aspect of the claimed technique, a schedule timer, located in the local
agent, controls the timing of polling the server. Applicant adds new dependent Claims 31, 32,
and 33 corresponding to independent Claims 1, 8, and 15 respectively to further claim the
schedule timer characteristics. Applicant finds support for this amendment in paragraphs 45-
46 (page 15-16) of the as-filed application. The use of a schedule timer in the local agent is
specifically taught away in Hile. As stated in paragraph 0019 of Hile (in relevant part):

"The transfer agent is responsible for transferring applicable data files to the server.
The transfer agent must poll the server application to determine which (if any) data
files are to be uploaded to the server. This polling function may be initiated by any of
three different techniques. First, the transfer agent may be executed during start-up of
the sender's computing device. Second, the transfer agent may be executed at periodic
time intervals (e.g., every half hour). *The periodic time intervals may be controlled by*

the server in order to make scheduled and automatic delivers. Each time the transfer agent polls the server, the server includes in its reply the amount of time until the agent should poll again. Third, the transfer agent may be executed immediately following the registration of a file transfer request by a sender." (Hile, paragraph 0019)

Thus, in one manner of initiating a polling, Hile teaches that the server (e.g. Item 14, Figure 1, 2) polling time is *"controlled by the server in order to make scheduled and automatic delivers.* Each time the transfer agent polls the server, the server includes in its reply the amount of time until the agent should poll again.".* Thus, Hile teaches that the server establishes the polling schedule whereas in the present claims, the local agent has the schedule timer and is in control of the polling process. Applicant respectfully submits that Hile teaches away from local agent control of polling the server. Accordingly, Hile fails to teach the elements of new Claims 31-33.

Conclusion

Applicant respectfully submits that the amended claims patentably define over the cited art and respectfully requests reconsideration of all pending claims.

Respectfully submitted,

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